

INTERNATIONAL MILITARY TRIBUNAL
FOR THE FAR EAST

- 1 -

THE UNITED STATES OF AMERICA, et al

vs

ARAKI, Sadao; et al

- Defendants -

REQUEST FOR PRODUCTION OF WITNESS

1. NOW COMES SHICEMITSU, Mamoru and requests the Tribunal, in accordance with Section III, Article 9 (e) of the Charter, to order the production of the following witnesses necessary for his defense:

A. TANAKA, Ryukichi;

(a) The nationality of the witness is Japanese;

(b) The witness is now in Tokyo City, Ushigome-ku, War Ministry Building, I.P.S., Investigation Division;

B. UCAKI, Kazunari;

(a) The nationality of the witness is Japanese;

(b) The witness is now in Atami City, Izusan;

C. HIROSF, Setzuo;

(a) The nationality of the witness is Japanese;

(b) The witness is now in Tokyo Central Liaison Office;

D. SUZUKI, Tadakatsu;

(a) The nationality of the witness is Japanese;

(b) The witness is now in Yokohama, Liaison Office Bureau;

2. The defendant SHICEMITSU further requests the Tribunal, in accordance with Section III, Article 9 (e) of the Charter, to order the production of the following documents necessary for

his defense:

DOCUMENT

Diary of M. M. LITVINOV, former
Commissar of Foreign Affairs of
the Soviet Union (from July 1,
1938 to August 31, 1938) excerpts
were introduced as Exhibit No. 754

LOCATION

International Prosecution
Section, War Ministry Bldg.,
Tokyo, Japan.

3. The facts to be proved by these witnesses and documents will show the policies, utterances, actions and intent of the accused SHIGEMITSU, during the time in which he is charged by the Indictment and the facts regarding events with which he is charged;

4. The relevance of the testimony of these witnesses, all of whom were associated with the accused SHIGEMITSU in various capacities during the time charged in the Indictment, or who have personal knowledge of such events is, in its tendency, to establish that the accused SHIGEMITSU took no part in any of the conspiracies charged to him; and was not in any way connected with the planning, initiating or waging of wars of aggression; and was, furthermore, in no way connected with the commission of any crimes against peace and is not guilty under the Indictment or any of its counts;

5. The date upon which attendance of the witnesses will be required for testifying cannot at this time be stated accurately but their attendance for consultation with defense counsel is required forthwith;

6. The date of production of the above documents will be after the commencement of the defense of the accused SHIGEMITSU. Consequently, in view of the time needed in processing and translating, a court order of an early date is prayed for.

7. This request does not include witnesses who we are advised will testify without a subpoena, nor witnesses who are not in Japan, for whom request will not be made until some proof of their testimony has been obtained. It does not include documents the production of which do not, we are advised, require action by the Court.

SHIGEMITSU, Mamoru

By

/s/ George A. Furness
FURNESS, George A.

/s/ Hisao Yanai
YANAI, Hisao